

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**DANIELS SHARPSMART, INC.,**  
a Delaware Corporation,

**Plaintiff,**

**V.**

**CYNTOX LIMITED LIABILITY  
COMPANY,  
a New York Limited Liability Company,**

**Defendant.**

**No. 2023-cv-3536**

**Presiding Hon. Sarah L. Ellis**

## JOINT STATUS REPORT

In accordance with the minute order issued by Judge Ellis on February 12, 2024 (ECF No. 28), the parties hereby submit their joint status report.

## I. Status of Fact Discovery

Fact discovery is set to close tomorrow May 15, 2024. The parties will have completed fact discovery by close of business on May 15, 2024.

## II. Status of Settlement Discussions

On January 31, 2024, the parties participated in a mediation before the Honorable Karen M. Cassidy, A.J.S.C. (Ret.), including both those claims asserted in the pending matter before this Court, and those asserted in a second lawsuit in the District Court of New Jersey against Daniels as Case No. 3:23-cv-04365-RK-RLS (“New Jersey Litigation”), also based upon a breach of contract related to biomedical waste services. However, the mediation was unsuccessful.

The parties have continued to discuss resolution of this matter since mediation but have been unsuccessful.

The parties do not wish to be referred to the magistrate judge for settlement purposes.

### III. Expert Discovery

The parties do not anticipate that expert discovery will be required.

**IV. Proposed Schedule for Expert Discovery and Summary Judgment Briefing**

**Expert discovery:** Not applicable.

**Summary Judgement Briefing:**

Motions for Summary Judgment filed no later than August 12, 2024.

Responses filed no later than September 16, 2024.

Replies filed no later than October 14, 2024.

The parties are prepared to offer any additional information the Court may require.

Dated: May 14, 2024

Respectfully submitted,

By: /s/ Matthew C. Wasserman

Matthew C. Wasserman (#6287638)  
Rebekah S. Mintzer (#6317923)  
Dinsmore & Shohl LLP  
222 W. Adams, Suite 3400  
Chicago, IL 60606  
(312) 837-4316  
Matthew.wasserman@dinsmore.com  
Rebekah.mintzer@dinsmore.com

Noam Besdin, Esq. – *Pro Hac Vice*  
Griffin H. Sloan, Esq. – *Pro Hac Vice*  
STEIN ADLER DABAH & ZELKOWITZ LLP  
936 Broadway, 5th Floor  
New York, New York 10010  
(212) 867-5620  
nbesdin@steinadlerlaw.com  
gsloan@steinadlerlaw.com

Alexander Loftus, Esq.  
Ross Good, Esq.  
LOFTUS & EISENBERG, LTD.  
161 N. Clark St., Suite 1600  
Chicago, Illinois 60601  
T: 312.899.6625  
C: 312.772.5396  
alex@loftusandeisenberg.com  
ross@loftusandeisenberg.com